



**Arizona Supreme Court
Defensive Driving Board**

Arizona State Courts Building
1501 West Washington Street
Phoenix, Arizona 85007
Hearing Room 109

October 29, 2015
10:00 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

<i>Present:</i>	<i>Telephonically Present:</i>	<i>Absent:</i>
Daniel Edwards	Honorable Maria Brewer	Margaret Stephens-Reed
Walter "Jack" Weberg	Melissa Caraker	
William "Patch" Pachnowski	Paul Hallums	
Thomas Davis		

OTHER ATTENDEES:

<i>AOC Staff:</i>	<i>Guests:</i>
Anne Hunter	Mark Campbell
Debbie MacDougall	April Wright
Mark Wilson	Dave Rolf
Bill MacIntyre	Tony Smith
Chris DeWitt	Andrea Tazioli
Michelle Jackson	Pamela Linnins

CALL TO ORDER

Called to Order By:

Daniel Edwards, Chair

Time:

10:00 a.m.

1) REVIEW AND APPROVAL OF MINUTES

Individual Addressing the Board:

Daniel Edwards, Chair

1-A: *Review, discussion, and possible action regarding the regular session minutes for the meeting of August 20, 2015.*

Discussion: None.

Motion: Move to accept the regular session minutes of the August 20, 2015 meeting.

Motion Proposals: First Walter "Jack" Weberg
Second William "Patch" Pachnowski

Motion Results: Pass

2) INITIAL CERTIFICATION AND ELIGIBILITY

Individuals Addressing the Board:

Chris DeWitt

Discussion: Board Chair Edwards moves to have Agenda Items 4-C and 4-D placed at the end of the agenda.

Motion: Move to allow Agenda Items 4-C and 4-D to be heard at the end of the agenda.

Motion Proposals: First Daniel Edwards
Second Walter "Jack" Weberg

Motion Results: Pass

Individual Addressing the Board:

Chris DeWitt

2-A: *Review, consideration, and possible action regarding pending initial certification of the following defensive driving schools:*

1. Happy Trails Traffic School

2. Saguaro Traffic School, LLC
3. Desert Rose Traffic School
4. RIGHT TURN Traffic School
5. RIGHT TURN Defensive Driving School
6. RIGHT TURN Defensive Driving Course
7. RIGHT TURN Ticket Dismissal School
8. RIGHT TURN Ticket Removal Course

Discussion: Defensive driving schools #1 through #3.

Motion: Move to grant initial certification.

Motion Proposals: First William (Patch) Pachnowski
Second Thomas Davis

Motion Results: Pass

Recusals:

Discussion: Defensive driving schools #4 through #8.

Motion: Move to grant initial certification.

Motion Proposals: First Walter "Jack" Weberg
Second William "Patch" Pachnowski

Motion Results: Pass

Recusals:

Individuals Addressing the Board:

Anne Hunter

2-B: *Review, consideration, and possible action regarding pending initial certification of the following applicants for defensive driving instructors:*

1. Norman Johnson
2. Dennis Schreffler
3. Evelyn Buell
4. Valentino Hernandez

Discussion: Applicants Norman Johnson and Dennis Schreffler.

Motion: Move to grant initial certification effective November 1, 2015.

Motion Proposals: First William "Patch" Pachnowski
Second Walter "Jack" Weberg

Motion Results: Pass

Discussion: Applicant Evelyn Buell.

Motion: Move to grant initial certification effective November 1, 2015.

Motion Proposals: First Thomas Davis
Second Walter "Jack" Weberg

Motion Results: Pass

Discussion: Applicant Valentino Hernandez.

Motion: Move to grant initial certification include non-disclosure language.

Motion Proposals: First Thomas Davis
Second Walter "Jack" Weberg

Motion Results: Pass

3) CERTIFICATION AND ELIGIBILITY

Individuals Addressing the Board:

Chris DeWitt

3-A: Review, discussion and possible action regarding a change of curricula for the following schools:

1. Tucson Defensive Driving School
2. Drive Right, LLC
3. Arizona Academy of Defensive Driving
4. Roadrunner Traffic School
5. Drive Smart University
6. Got a Ticket? Defensive Driving School
7. Arizona's Best Defensive Driving School
8. Comedy Traffic School
9. Rush Hour Traffic School
10. Traffic 101

Discussion: Schools #1 through #10.

Motion: Move to grant change of curricula for online classes only.

Motion Proposals: First Thomas Davis
Second Walter "Jack" Weberg

Motion Results: Pass
Recusal William "Patch" Pachnowski

4) PENDING COMPLAINTS/ CERTIFICATION APPLICATIONS

Individuals Addressing the Board:

Bill MacIntyre and Anne Hunter

4-A: *Review, discussion and possible action regarding Findings of Fact, Conclusions of Law and Recommendation in complaint number 15-D002, involving Gordon Fox and 2 Pass Defensive Driving.*

Discussion: Staff recommends that the Board find 2 Pass Defensive Driving and Gordon Fox in default and enter a Final Order issuing a Censure.

Motion: Move to accept staff's recommendation.

Motion Proposals: First William "Patch" Pachnowski
Second Thomas Davis

Motion Results: Pass

4-B: *Update regarding disciplinary action concerning complaint numbers 14-D014/14-D015 and 14-D017 involving 2 Pass Defensive Driving.*

Discussion: An update is given to the Board regarding the Division's audit of 2 Pass Defensive Driving.

4-C: *Update, review, discussion and possible action regarding Easy Simple Fun Defensive Driving proposed settlement offer concerning complaint number 14-D016.*

Discussion: Borna Mozafari appears telephonically and declines to address the Board. Mr. Mozafari's attorney, Andrea Tazioli, appears in person and addresses the Board.

Discussion is held with respect to the proposed settlement agreement.

Staff recommends that the Board reject the proposed settlement agreement.

Motion: The Board accepts staff's recommendation and rejects the proposed agreement and requests the Division move forward with the hearing process. The Board also authorizes the Division Director to reject future settlement offers without Board review if staff would not recommend acceptance.

Motion Proposals: First Walter "Jack" Weberg
Second William "Patch" Pachnowski.

Motion Results: Pass

4-D: Review, discussion and possible action regarding initial certification of defensive driving schools Pay Less . . . Easier . . . Fun . . . AZ Licensed Defensive Driving and Easy . . . Low Cost . . . Simple Arizona.

Discussion: Staff has performed a review of the new schools' application and curriculum and recommends initial certification be granted to Pay Less . . . Easier . . . Fun . . . AZ Licensed Defensive Driving and Easy . . . Low Cost . . . Simple Arizona Approved Defensive Driving.

Motion: Move to grant initial certification effective November 1, 2015.

Motion Proposals: First Thomas Davis
Second Paul Hallums

Motion Results: Pass

4-E: Update regarding the status of pending complaints.

Discussion: There are currently 22 open complaints with one dispositive recommendation under agenda item 4-A.

5) ADMINISTRATIVE ISSUES

Individuals Addressing the Board: Debbie MacDougall

5-A: Review, discussion and possible action regarding the establishment of the 2016 Board meeting schedule.

Discussion: 2016 meeting schedule is presented to the Board.

Motion: Move to approve the 2016 meeting schedule.

Motion Proposals: First Walter "Jack" Weberg
Second William "Patch" Pachnowski

Motion Results: Pass

6) SUBCOMMITTEE CONCERNING SCHOOL NAMES

Individuals Addressing the Board: Anne Hunter

6-A: *Update on subcommittee concerning defensive driving school names.*

Discussion: A brief update is provided to the Board. The next subcommittee meeting is scheduled for November 12, 2015.

CALL TO THE PUBLIC

**Individual(s) addressing
the Board:** April Wright

ADJOURNMENT

Motion: Move to adjourn the meeting.

Motion Proposals: First William 'Patch' Pachnowski
Second Walter "Jack" Weberg

Motion Results: Pass

Time: 11:00 a.m.